

IT IS ORDERED as set forth below:

Date: October 31, 2016



Lisa Ritchey Craig
U.S. Bankruptcy Court Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	
)	
GARY THOMAS STEVENS,)	CHAPTER 13
MICHELLE HUETTER STEVENS,)	
)	CASE NO. 14-69570-LRC
DEBTORS.)	
-----)	JUDGE: LISA RITCHEY CRAIG
)	
OCWEN LOAN SERVICING, LLC, AS)	
SERVICER FOR U.S. BANK NATIONAL)	
ASSOCIATION, <i>et al.</i>)	-----
)	CONTESTED MATTER
MOVANT.)	
V.)	
)	
GARY THOMAS STEVENS,)	
MICHELLE HUETTER STEVENS,)	
ADAM M. GOODMAN, TRUSTEE,)	
)	
RESPONDENTS.)	

ORDER MODIFYING AUTOMATIC STAY

OCWEN LOAN SERVICING, LLC, AS SERVICER FOR U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE FOR TBW MORTGAGE-BACKED TRUST SERIES 2006-5,

TBW MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-5, for itself and its successors and assigns (“Movant”), filed a Motion for Relief from Automatic Stay on 06/28/2016 [Doc No. 60], came and set it for hearing on 07/28/2016 and continued it to 09/01/2016, 09/01/2016, 09/15/2015, and 10/13/2016. Movant contends Debtors are in arrears on post-Chapter 13 Petition payments to Movant; no opposition to the Motion was filed or announced at the hearing; Movant asserts that the Motion was properly served and hearing noticed; accordingly,

IT IS HEREBY ORDERED that the Automatic Stay pursuant to 11 U.S.C. § 362 is hereby **MODIFIED** to allow Movant, its successors or assigns, to proceed with its state law and contract rights and remedies as to its collateral, 1476 FALLSBROOK COURT, ACWORTH, GA 30101 (the “Property”), and to foreclose or otherwise dispose of the Property, including, but not limited to, dispossessory proceedings and collection of fees, or take action against the Property as necessary in order for Movant to recover upon its secured claim to the Property. At its option, Movant may contact Debtors via telephone or written correspondence to offer, provide or enter into any potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement including a deed in lieu as allowed by state law. The entry of this order does not absolve Debtors of the duty to file any necessary pleadings, amendments, or plan modifications that may be required with regard to such a loan modification. It is further

ORDERED that, upon the completion of any foreclosure sale, any funds in excess of the payoff due to Movant under its Note and Security Deed shall be promptly paid to the Trustee for the benefit of the estate. It is further

ORDERED that the stay pursuant to Bankruptcy Rule 4001(a)(3) is waived. It is further

ORDERED that the Chapter 13 Trustee shall cease payment on Movant's claim [Claim No. 5] instanter.

END OF DOCUMENT

PREPARED AND SUBMITTED BY:

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DISTRIBUTION LIST

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